

# UNITED STATES EXPECTED TO PREVENT SHIPMENT OF CONTRABAND ON VESSELS TO BE FREE FROM ATTACK

## POINTS TO FRIENDSHIP LONG EXISTING BETWEEN BERLIN AND THE WESTERN REPUBLIC. DESTRUCTION OF LUSITANIA JUSTIFIED ON GROUND OF SELF-DEFENSE AND INTERESTS OF FATHERLAND

GREAT BRITAIN IS BLAMED AS CAUSE OF VIOLATIONS OF RECOGNIZED RULES OF CIVILIZED WARFARE BY SUBMARINES AND HOPE IS EXPRESSED WHEN PEACE IS RESTORED THAT FREEDOM OF SEAS MAY BE GUARANTEED BY TREATY; WHATEVER HARSH MEASURES KAISER HAS RESORTED TO HAVE BEEN NECESSITATED BY ACTIONS OF ENEMY AND IN ORDER TO PRESERVE INDEPENDENCE.

Berlin, July 9.—Germany's offer, embodied in the reply to the United States note regarding the sinking of the Lusitania and submarine warfare which was delivered to James W. Watson, the American ambassador, last night is:

First, reiterated assurance that American ships engaged in legitimate trade will not be interfered with nor the lives of Americans upon neutral ships be endangered.

Second, that German submarines will be instructed to allow American passenger ships to pass freely and safely, Germany undertaking to reimburse the confident hope that the American government will see that these ships do not carry contraband; such ships to be provided with distinguishing marks and their arrival accompanied a reasonable time in advance. The same provisions to be extended to a reasonable number of neutral passenger ships, under the American flag, and should the number of ships thus available for passenger service prove inadequate Germany is willing to permit America to procure four hostile passenger steamers under the American flag to ply between North America and Europe under the same conditions.

Text of German Note

The text of the German note follows:

Berlin, July 8

The undersigned has the honor to make the following reply to his excellency Ambassador Gerard, to the note of the 10th, ultimo, regarding the impairment of American interests by the German submarine warfare. The imperial government learned with

satisfaction from the note how earnestly the government of the United States is concerned in seeing the principles of humanity realized in the present war. Also this appeal finds ready echo in Germany and the imperial government is quite willing to permit its statements and decisions in the present case to be governed by the principles of humanity just as it has done always.

Refers to Treaty of 1785.

"The imperial government welcomed with gratitude when the American government in the note of May 15 itself recalled that Germany had always permitted itself to be governed by the principles of progress and humanity in dealing with the law of maritime war. Since the time when Frederick the Great negotiated with John Adams, Benjamin Franklin and Thomas Jefferson the treaty of friendship and commerce of September 9, 1785, between Prussia and the republic of the west, Germany and American statesmen have, in fact, always stood together in the struggle for the freedom of the seas and for the protection of peaceable trade. In the international proceedings which since have been conducted for the regulation of the laws of maritime war Germany and America have jointly advocated progress, especially the abolition of the right of capture at sea and the protection of the interests of neutrals.

Wants Freedom of Seas.

"Even at the beginning of the present war the German government immediately declared its willingness to ratify the declaration of London and thereby subject itself in the use of its naval forces to all the restrictions provided therein in favor of neutrals. Germany likewise has been always zealous of the principle that war should be conducted against the armed and organized forces of an enemy country but that the enemy civilian population must be spared as far as possible from the measures of war. The imperial government cherishes the definite hope that some way will be found when peace is concluded, or perhaps earlier, to regulate the law of maritime war in a manner guaranteeing the freedom of the seas, and will welcome it with gratitude and satisfaction if it can work hand in hand with the American government on that occasion.

Denies All Guilt.

"If in the present war the principles which should be the ideal of the future have been traversed more and more, the longer its duration, the German government has no guilt therein. It is known to the American government how Germany's adversaries, by completely paralyzing peaceable traffic between Germany and neutral countries, have aimed from the beginning and with increasing lack of consideration at the destruction not so much of the armed forces as the life of the German nation, repudiating in doing so all the rules of international law and disregarding all the rights of neutrals.

"On November 3, 1914, England declared the North sea a war area and by planting poorly anchored mines and by the stoppage and capture of vessels made passage extremely dangerous and difficult for neutral shipping, so (by?) that actually blockading neutral coasts and ports contrary to all international law. Long before the beginning of submarine war England practically completely intercepted legitimate neutral navigation to Germany also. Thus Germany was driven to a submarine war on trade.

Great Britain Blamed.

"On November 14, 1914, the Eng-

lish premier declared in the house of commons that it was one of England's principal tasks to prevent food for the German population from reaching Germany via neutral ports. Since March 1, England has been taking from neutral ships without further formality all merchandise proceeding to Germany as well as all merchandise coming from Germany, even when neutral property. Just as it was also with the Boers, the German people is now to be given the choice of perishing from starvation with its women and children or of relinquishing its independence.

"While our enemies thus loudly and openly proclaimed war without mercy until our utter destruction, we were conducting war in self-defense for our national existence and for the sake of peace of an assured permanent peace. We have been obliged to adopt a submarine warfare to meet the declared intentions of our enemies and the method of warfare adopted by them in contravention of international law.

Gave Ample Warning.

"With all its efforts in principle to protect neutral life and property from damage as much as possible, the German government recognized unreservedly in its memorandum of February 4, that the interests of neutrals might suffer from the submarine warfare. However, the American government will also understand and appreciate that in the fight for existence which has been forced upon Germany by its adversaries and announced by them, it is the sacred duty of the imperial government to do all within its power to protect and save the lives of German subjects. If the imperial government were to derelict in these its duties, it would be guilty before God and history of the violation of those principles of highest humanity which are the foundation of every national existence.

Lusitania Terrible Example.

"The case of the Lusitania shows with horrible clearness to what jeopardizing of human lives the manner of conducting war employed by our adversaries leads. In the most direct contradiction of international law, all distinctions between merchantmen and war vessels have been obliterated by the order to British merchantmen to arm themselves and to ram submarines and the promise of rewards therefor, and neutrals who use merchantmen as travelers thereby have been exposed to an increasing degree to all danger of war.

Justifies Submarine's Action.

"If the commander of the German submarine which destroyed the Lusitania had caused the crew and passengers to take to the boats before firing a torpedo this would have meant the sure destruction of his own vessel. After the experiences in sinking much smaller and less seaworthy vessels, it was to be expected that a mighty ship like the Lusitania would remain above water long enough even after the torpedoing to permit passengers to enter the ship's boats. Circumstances of a very peculiar kind, especially the presence on board of large quantities of highly explosive materials defied this expectation. In addition it may be pointed out that if the Lusitania had been spared thousands of cases of munitions would have been sent to Germany's enemies and thereby thousands of German mother and children robbed of breadwinners.

Strong Spirit of Friendship.

"In the spirit of friendship where the German nation has been imbued towards the union and its inhabitants since the earliest days of its existence, the imperial government will always be ready to do all it can during the present war to prevent the jeopardizing of lives of American citizens. The imperial government therefore, repeats the assurance that American ships will not be hindered in the prosecution of legitimate shipping and the lives of American citizens on neutral vessels shall not be placed in jeopardy.

"In order to exclude any unforeseen dangers to American passengers steamers, made possible in view of the conduct of maritime war by Germany's adversaries, German submarines will be instructed to permit the free and safe passage of such passenger steamers, when made recognizable by such markings and made a reasonable time in advance. The imperial government, however, confidently hopes that the American government will assume to guarantee that these vessels have no contraband on board, details of arrangement for the unhampered passage of these vessels to be agreed upon by the naval authorities of both sides.

Suggestion as to Travel.

"In order to furnish adequate facilities for travel across the Atlantic for American citizens, the German government submits for consideration a proposal to increase the number of available steamers by installing in passenger service a reasonable number of neutral steamers under the American flag, the exact number to be agreed upon under the same condition as the above mentioned American steamers.

"The imperial government believes it can assume that in this manner adequate facilities for travel across the Atlantic ocean can be afforded American citizens. There would, therefore, appear to be no compelling necessity for American citizens to travel to Europe in time of war on ships carrying an enemy flag. In particular the imperial government is unable to admit that American citizens can protect an enemy ship through the mere fact of their presence on board.

Followed England's Example.

"Germany merely followed England's example when she declared part of the high seas an area of war. Consequently, accidents suffered by neutrals on enemy ships in this area of war can not well be judged differently from accidents to which neutrals are at all times exposed at the seat of war on land when they be-take themselves into dangerous localities in spite of previous warnings. If, however, it should not be possible for the American government to require an adequate number of neutral passenger steamers, the imperial govern-

## Hand Klaxonets \$4.00 Everything of the Best at Weaver's Garage

ment is prepared to interpose no objections to the placing under the American flag by the American government of four enemy passenger steamers for passenger traffic between North America and England. Assurances of 'free and safe' passage for American passenger steamers would extend to apply under the identical pre-conditions to these formerly hostile passenger steamers.

Hopes for Understanding.

"The president of the United States has declared his readiness, in a way deserving of thanks, to communicate and suggest proposals to the government of Great Britain with particular reference to the alteration of maritime war. The imperial government will always be glad to make use of the good offices of the president and hopes that his efforts in the present case, as well as in the direction of the lofty ideal of the freedom of the seas, will lead to an understanding.

"The undersigned requests the ambassador to bring the above to the knowledge of the American government and avails himself of the opportunity to renew to his excellency the assurances of his most distinguished consideration.

"VON JAGOW."

Look up the Public Utilities company's advertisement this week and after reading it, cut it out and paste in your hat. There are some figures there you ought to remember.

TRUSTEES MEETING.

2:30 July 13, p. m.

Present on roll call: D. G. Grantham, M. R. Smith, C. D. Church, Trustees; and D. W. Duncan, marshal; J. E. Lavery, treasurer.

D. G. Grantham, under former motion, acted mayor pro tem.

Minutes of meeting of June 7, read and approved.

The following bills were read and approved and orders for warrants ordered drawn for same:

Missions	\$59.06
Leo Fessler, care of fire hall	1.00
Finlay-Pratt Hdw. Co., repair on sewer	45.21
T. C. Horne, mds. fire hall	5.00
Arthur Crozier, charging chemical engine	2.00
W. G. Brown, blacksmith work	39.25
Joe Harrison, burning cisterns	2.55
L. E. Warren, scavenger and extra work	255.50
John Ruark, June salary	60.00
Pecos Valley Lumber Co., lumber bridges and culverts	58.76
F. H. Richards, J. P. fees, quarter ending June 30th	10.10
J. C. Bunch, salary for June	15.00
C. B. Duncan, watching fire hall	2.00
Sam Akie, assisting marshal during carnival	13.00
D. W. Duncan, June salary	75.00
P. U. Co., water, lights and fire pressure, June	228.59
Bernard Brown, cleaning hose	2.00
Carlsbad Lumber Co., lumber for culverts	18.51

Geo. M. Whitte was awarded the contract to repair the mouth of town sewer where it empties into the Pecos river. J. P. Flowers was appointed a committee of one to investigate the opening of a ditch in front of the Hanson residence. On motion seconded and carried the treasurer was instructed to furnish the town attorney and marshal with a list of all property owners who have failed so far to connect with the sewer system the object being to enforce the ordinances in regard to sewer connection within the sewer districts.

On motion the board adjourned subject to the call of the mayor.

JOHN W. ARMSTRONG, Mayor.

JOS. C. BUNCH, Recorder.

TRUSTEES SALE OF REAL ESTATE.

The undersigned Trustees give notice of their intention to sell at private sale or at public sale, the following described real estate in Roswell, New Mexico, to-wit:—

Lot twelve (12), block twelve (12), City of Roswell, New Mexico; without appraisal, and on terms to suit purchaser. This property has a good brick building, fifty by a hundred and twenty-five (50x125), in good condition, two rooms. Walls built to sustain several stories. Splendid location. Sale required to close out estate in settlement with minors who live elsewhere. Both rooms now occupied. Property will be sold at a bargain. Might accept good farm land in eastern Kansas or northern Missouri. Part payment. Commission allowed to broker making sale.

B. J. SHERIDAN, F. M. SHERIDAN, Trustees.

NOTICE OF SPECIAL MASTERS SALE.

In the District Court, Eddy County, New Mexico.

No. 2178. C. F. Harra, Plaintiff, v. Eugene F. Hardwick & Gustenia R. Hardwick, Defendants.

WHEREAS, by virtue of a final decree rendered and entered in the above styled and numbered cause on the 19th day of May, A. D. 1915, the above defendants were found to be indebted to the plaintiff in the sum of \$5335.00; and

WHEREAS, a mortgage securing said indebtedness upon the premises

hereinafter described was foreclosed

and said premises ordered sold to satisfy said indebtedness; and,

WHEREAS, the undersigned was in said decree by said court, appointed special master to sell said premises and to make the purchaser thereof conveyance of the same and report to the court for his approval.

NOW, therefore, I, J. M. Dillard, special master, as aforesaid, hereby give public notice that on the 16th day of September, 1915, at the hour of 10 o'clock A. M. at the south front door of the court house of Eddy County, New Mexico, I will proceed to sell at public auction to the highest and best bidder for cash, the following described lands and premises situate in Eddy County, New Mexico, to-wit:—

"W 1-2 of the NW 1-4, Sec. 9; and the NE 1-4 of Sec. 8. And all the parts of S 1-2 of NE 1-4 of Sec. 8, described by metes and bounds, as follows, to-wit:—

Commencing at the SW corner of the N 1-2 of the NE 1-4, Sec. 8, thence south 841 feet, to the S. bank of S. Seven Rivers to corner of a tract of land conveyed by deed of record in Book 27, page 86 deed record of Eddy County, New Mexico, to which reference is here made thence along the south bank of South Seven Rivers, 89 and 45' East 400 ft; thence N. 75 15' East 575 ft. thence South 77 30' East 664 ft. to a white sand stone 4"x6"x12" from which a cottonwood tree in a row of four bears South 10 ft; thence East 150 ft. to a white sand stone 4"x8"x12"; thence South 2 1/2 ft. to north bank of South Seven Rivers; thence along the North bank of South Seven Rivers North 82 30' East 200 ft.; thence North 64 15' East 174 ft. to the section line between sections 8 and 9; thence north of said section line between sections 8 and 9 to the S. Southeast corner of the N 1-2 of the NE 1-4 of said section 8; thence west along the S. line of said N 1-2 of the NE 1-4 of section 8, 1320 ft. to the place of beginning, containing 218 acres more or less all in T. 29 S. R. 36 E. N. M. P. M. together with all appurtenances thereto belonging, or attached thereto.

Witness my hand at Carlsbad, New Mexico, this 14th day of July, A. D. 1915.

J. M. DILLARD, Special Master.

NOTICE OF SUIT IN ATTACHMENT.

To F. A. Lindley and W. H. Kimberlin, partners doing business under the firm name of Lindley & Kimberlin and sometimes under the trade name of The Sugar Bowl:—

By order of the District Court in the following numbered and entitled cause, you and each of you are hereby notified that on the 10th day of May, 1915, A. E. Morden, as plaintiff, filed suit against you as defendants in the District Court of Eddy County, New Mexico, said cause being numbered 2901 on the Civil Docket of said Court, wherein plaintiff claims that there is due him Fifty (\$50.00) Dollars with legal interest from May 1st, 1915, and to become due from you, the sum of Three Hundred and Fifty (\$350.00) Dollars, for rent on certain premises leased to you, at Carlsbad, Eddy County, New Mexico, said lease being dated March 1st, 1915; that on said 10th day of May, 1915, said plaintiff caused an attachment to be issued in said cause, whereby property belonging to you has been attached; that on the 18th day of May, 1915, it being made to appear to the Court that service of process cannot be made upon the defendants within the State of New Mexico, it was ordered by the Court that publication be made of process as required by Chapter 53, Laws of 1913, of the State of New Mexico.

You are further notified that unless you appear and answer this suit and attachment, on or before the 4th day of September, 1915, judgment will be rendered against you by default, as provided for, and your property sold to satisfy the same.

You are further notified that S. D. Stennis, Jr., is the attorney for the plaintiff and that his business and post office address is Carlsbad, New Mexico.

WITNESS my hand and seal of this Court, this 13th day of July, 1915.

(SEAL) A. R. O'QUINN, County Clerk.

NOTICE.

No. 291. IN THE PROBATE COURT, EDDY COUNTY, NEW MEXICO.

IN THE MATTER OF THE ESTATE OF HOMER F. PARR, DECEASED.

Notice is hereby given that Maude H. Parr, Administratrix of the estate of Homer F. Parr, deceased, having filed in this court her first and final report of her administration of said estate, and a petition for her discharge as administratrix of said estate, the hearing of the same has been fixed by the court for the 10th day of August, 1915, at 10 o'clock A. M., at the court room of said court in the Court House at Carlsbad, Eddy County, New Mexico, and all persons interested in said estate are hereby notified then and there to appear and show cause, if any they have, why the said report should not be settled and allowed and said administratrix discharged.

MAUDE H. PARR, Administratrix of the Estate of Homer F. Parr, Deceased.

Department of the Interior, United States Land Office, Roswell, New Mexico, June 26 1915.

Notice is hereby given that the State of New Mexico, under the provisions of the Acts of Congress approved June 21, 1898 and June 20, 1910, and acts supplementary and amendatory thereto, has filed in this office selection lists for the following described lands:

List No. 5253. Serial No. 031014. NW 1-4, W 1-2 NE 1-2 Sec. 33 T. 24 S. R. 33 E., N. M. Mer. 240 acres.

List No. 5254. Serial No. 031015. NW 1-4 SE 1-4, NE 1-4 SW 1-4 Sec. 33 T. 24 S. R. 33 E., N. M. Mer. 80 acres.

Protests or contests against any or all of such selections may be filed in this office during the period of publication hereof, or at any time before final certificate.

EMMETT PATTON, Register.

NOTICE TO CONTRACTORS.

Sealed bids will be received up to three o'clock Saturday July 24th, 1915, at the office of W. A. Poore, County Superintendent of Schools, Carlsbad, N. M., for the construction of an addition to the school building at Otis, N. M. Each bid must be accompanied by a certified check amounting to five percent (5 per cent) of the bid. Plans and specifications will be on file at the County Superintendent's office on and after Thursday, July 15, 1915, and also at the home of G. W. Fullingim, Carlsbad, N. M. Contractor must be prepared to furnish a good and sufficient bond as security that the building contract will be completely performed.

W. A. POORE, County Superintendent of Schools.

2-July-4 G. W. FULLINGIM, Secretary of School Board.

NOTICE FOR PUBLICATION.

05481 020521

Department of the Interior, United States Land Office at Roswell, New Mexico, June 22, 1915.

NOTICE is hereby given that Robert W. Hardin, of Queen, N. M., who, on Nov. 28, 1908 and Oct. 22, 1909, made Orig. and Add'l. H. D. Entries, Serial Nos. 05481 and 020521 for SW 1-4 SE 1-4; SW 1-4, Sec. 19; and NW 1-4 NE 1-4; NE 1-4 NW 1-4, Sec. 30, Township 26-S, Range 21-E, N. M. P. Meridian, has filed notice of intention to make Final Five Year Proof, to establish claim to the land above described, before A. R. O'Quinn, Clerk of the Probate Court of Eddy County, New Mexico, at Carlsbad, N. M., on Aug. 5, 1915.

Claimant names as witnesses: John R. Means, Joseph T. Ploverman, Walter R. Shattuck, Jesse Magby, all of Queen, N. M.

EMMETT PATTON, Register.

July 2-30

26 S. R. 37 E., N. M. Mer. 320 acres. List No. 6147. Serial No. 032287. All of Sec. 35 T. 21 S. R. 36 E., N. M. Mer. 640 acres.

List No. 6148. Serial No. 032288. All of Sec. 11 T. 22 S. R. 36 E., N. M. Mer. 640 acres.

List No. 6149. Serial No. 032289. S 1-2 Sec. 12 T. 22 S. R. 36 E., N. M. Mer. 320 acres.

List No. 6150. Serial No. 032290. All of Sec. 13 T. 22 S. R. 36 E., N. M. Mer. 640 acres.

List No. 6151. Serial No. 032291. All of Sec. 14 T. 22 S. R. 36 E., N. M. Mer. 640 acres.

List No. 6184. Serial No. 032296. Lots 9, 10, 11, 12, 13, 14, 15, 16, S 1-2 Sec. 3 T. 21 S. R. 34 E., N. M. Mer. 640 acres.

List No. 6185. Serial No. 032297. SE 1-4 SW 1-4 Sec. 19 T. 22 S. R. 33 E., N. M. Mer. 40 acres.

Protests or contests against any or all of such selections may be filed in this office during the period of publication hereof or at any time thereafter before final certificate.

EMMETT PATTON, Register.

NOTICE FOR PUBLICATION.

016975.

Department of the Interior, United States Land Office, at Roswell, New Mexico, June 18, 1915.

NOTICE is hereby given that James S. Johnson, of Carlsbad, N. M., who, on March 18, 1909, made H. D. Entry, Serial No. 016975, for N 1-2 NE 1-4; SW 1-4 NE 1-4; NE 1-4 NW 1-4, Section 24, Township 24-S, Range 26-E, N. M. P. Meridian, has filed notice of intention to make Final Five Year Proof, to establish claim to the land above described, before A. R. O'Quinn, Clerk of the Probate Court of Eddy County, New Mexico, at Carlsbad, N. M., on July 27, 1915.

Claimant names as witnesses: Henry C. Dickson, Dolph N. Vest, William Tunny, William Leek, all of Carlsbad, N. M.

EMMETT PATTON, Register.

June 25-July 23

Department of the Interior, United States Land Office, Roswell, New Mexico, May 29, 1915.

Notice is hereby given that the State of New Mexico, under the provisions of the Acts of Congress approved June 21, 1898 and June 20, 1910, and acts supplementary and amendatory thereto, has filed in this office selection lists for the following described lands:

List No. 6047. Serial No. 031976. All of Sec. 25 T. 21 S. R. 27 E., N. M. Mer. 640 acres.

List No. 6048. Serial No. 031977. All of Sec. 25 T. 21 S. R. 27 E., N. M. Mer. 640 acres.

List No. 6036. Serial No. 031989. SW 1-4 Sec. 11 T. 24 S. R. 24 E., N. M. Mer. 160 acres.

Protests or contests against any or all of such selections may be filed in this office during the period of publication hereof, or at any time before final certificate.

EMMETT PATTON, Register.

Department of the Interior, United States Land Office, Roswell, New Mexico, May 27, 1915.

Notice is hereby given that the State of New Mexico, under the provisions of the Acts of Congress approved June 21, 1898 and June 20, 1910, and acts supplementary and amendatory thereto, has filed in this office selection lists for the following described lands:

List No. 5253. Serial No. 031014. NW 1-4, W 1-2 NE 1-2 Sec. 33 T. 24 S. R. 33 E., N. M. Mer. 240 acres.

List No. 5254. Serial No. 031015. NW 1-4 SE 1-4, NE 1-4 SW 1-4 Sec. 33 T. 24 S. R. 33 E., N. M. Mer. 80 acres.

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EMMETT PATTON, Register.

18-June-5

NOTICE TO CONTRACTORS.

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W. A. POORE, County Superintendent of Schools.

2-July-4 G. W. FULLINGIM, Secretary of School Board.

NOTICE FOR PUBLICATION.

05481 020521

Department of the Interior, United States Land Office at Roswell, New Mexico, June 22, 1915.

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Claimant names as witnesses: John R. Means, Joseph T. Ploverman, Walter R. Shattuck, Jesse Magby, all of Queen, N. M.

EMMETT PATTON, Register.

July 2-30

NOTICE FOR PUBLICATION.

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